



Thomas E. Strelka
thomas@strelkalaw.com
540.283.0775

L. Leigh R. Strelka
leigh@strelkalaw.com
540.283.0776

www.strelkalaw.com

January 10, 2018

VIA UNITED STATES MAIL AND EMAIL

Ramesh Murthy, Esq.
PennStuart
208 E. Main Street
Abingdon, Virginia 24210

Re: *Proceeding Forward Kelly, Rosenbaum, Icenhour / Town of Abingdon;
Accommodations Requests*

Dear Mr. Murthy,

In furtherance of our discussions and in accordance with the Americans with Disabilities Act, my clients hereby submit the following accommodations requests. These requests are made collectively herein for purposes of efficiency of implementation. Should these requests warrant further discussion for any reason, I am available to you at your convenience.

Accommodation Requests in Theme

The following are a number of requests regarding the daily office environment. The overall aim of these requests is to foster a well-running office, based on the principles of mutual respect, clear communication, and having well-defined roles within the organization. These are the three tenants in which these requests are rooted.

Mutual respect is an easily accomplished goal, and Mr. Kelly, Ms. Icenhour, and Ms. Rosenbaum shall continue to faithfully serve the Town with professional attitudes, tones of voice and choice of words. Despite their best efforts, professional respect has not been mutually received at times during their employment with the Town. At times, they have felt harassed or that they work in a hostile environment. Sometimes, issues of professional respect can be fixed with knowledge of appropriate boundaries and utilizing effective communication systems.

Clear communication is essential to the fundamental health and well-being of an efficient and productive office environment. The following requests outline options for establishing methods or practices of communication to ensure that all of the parties

equally understand one another. We have all experienced a bad result in a situation at one time or another that began as a small miscommunication or misunderstanding. These requests aim to reduce the incidents of miscommunication and misunderstanding between the parties.

Defining the roles of individuals within an office environment can lead to improvements in both communication and mutual respect. When an employee is armed with knowledge, typically in the form of clearly written policies or well-known practices, regarding how to deal with a variety of issues as they emerge, that employee is not only a better worker, but a better co-worker. Thus, the following requests seek to flesh out the roles, duties and responsibilities of the parties in order to facilitate a better overall office environment.

The Requests

1. The Town Charter is a fundamental document that outlines the Council/Manager form of governance. The Charter is the bedrock upon which the Town exists today. Numerous negative issues have resulted among the parties because an individual did not understand their role as defined in the Charter. It is therefore essential that all Town Council members and Town Management have a nuanced understanding of the Charter. This is a Request that all Members of the Town Council and Town Management shall have a fundamental understanding of the Town Charter.

2. The Town Council adopted a Code of Ethics. This is a Request that the Town Council and Town Management have a fundamental understanding of the Code of Ethics and that all parties continually work toward operating in total compliance with the Code of Ethics on a day-to-day basis.

3. This is a Request that the Town Council acknowledge that it is inappropriate for members of Town Council to give directives to subordinate employees of Town Management. If the Town Council wishes to discuss modification of a Town employee's duties, or have any criticism regarding that employee's actions, omissions, or job duties, then the appropriate course of action would be for the member to address the issue with the appropriate supervisory employee of Town Management.

4. This is a Request for members of Town Council to cease threatening the termination a Town employee's job on a weekly, sometimes daily basis. It is understood that in the course of management, certain situations do indeed warrant the threat of

termination. However, a workplace in which staff are threatened with termination many times in a six-month period is an untenable working environment.

5. This is a Request that the Town Council give greater consideration to diversity in hiring Town personnel with an emphasis on the hiring of women in management positions.

6. This is a Request that the Town Council recognize that it is the role of the Mayor to act as liaison between Town Council and Town Management.

7. For an unknown reason, members of Town Council have consistently second-guessed a vast majority of information provided to them by Town Management. Trust appears to be an issue. Town Management works faithfully on behalf of the Town and members of Town Council. This is a Request that members of Town Council begin working together with Town Management on establishing trust between the parties.

8. This is a Request that every member of Town Council utilize courtesy and care in all communications with Town Management. Consider tone of voice and word choice.

9. This is a Request that all Town staff be treated equally in the eyes of the members of Town Council.

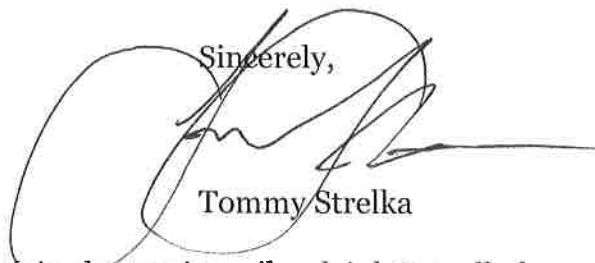
10. This is a Request that Town Council be mindful of the bounds of individual employees' roles within the Town structure. Staff members have consistently been directed by members of the Town Council to perform functions outside the scope of their employment. Should further direction be needed on this issue, this is a Request for written policies or job descriptions to clarify roles, duties and responsibilities.

11. This is a Request that the Town Council acknowledge that this is a team. It is within the best interest of the Town for Town Council to support and defend Town Management, not fight Town Management.

12. This is a Request that should a dearth of written policies effectuating the above requests not exist at the time these requests were submitted, that Town Council, working with Town Management, work in conjunction to draft written standing policies that provide guidance to all individuals.

I look forward to hearing your thoughts on the above requests.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Tommy Strelka', is written over the word 'Sincerely,'. The signature is fluid and stylized, with a large loop at the beginning and a long horizontal stroke at the end.

Tommy Strelka

cc: L. Leigh R. Strelka (via electronic mail at leigh@strelkalaw.com)
Gregory Kelly (via electronic mail)
Cecile Rosenbaum (via electronic mail)
Deborah Icenhour (via electronic mail)